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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/071,692 05/01/98 CONNERY G 15886-122

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EXAMINER

TON, A

ART UNIT

PAPER NUMBER

2732

DATE MAILED:

07/18/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/071,692

Applicant(s)

Connery et al

Examiner

Anthony Ton

Group Art Unit

2732

☒ Responsive to communication(s) filed on May 1, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1, 2, and 5-9 is/are allowed.

☒ Claim(s) 3, 4, and 10-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Object to Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference signs not mentioned in the description:
 - "a data processing system 10" on page 5 line 16 is not found in Fig. 1.
 - "path 57" on page 7 line 16 is not found in Fig. 3.
 - "control header buffer 110" on page 10 line 26 is not found in Fig. 4.
 - "target buffer 111" on page 10 lines 27 and 28; and on page 11 line 7 is not found in Fig. 4.

Correction is required.

Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Object to Specification

2. The disclosure is objected to because of the following informalities:

Page 4:

- line 16: abbreviation "SMB", it should be called out properly.

Page 6:

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- line 12: abbreviation "DMA", it should be called out properly.
- "the network interface 17" on lines 10 and 11, "the network medium 17" on line 17, and "the network medium 17" on lines 23 and 24 should be used consistently.
- line 26: "the smart adapter card" has no antecedent basis.

Page 7:

- line 18: abbreviation "API", it should be called out properly.

Page 9:

- line 23: abbreviation "NetBEUI/DLC protocols", the "DLC" should be called out properly.

Claim Rejections

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 4, 10-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In claim 3:

- on line 1, "the network protocol" has no antecedent basis.
- on line 2, "the packet control field" has no antecedent basis.

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- In claim 4:

on line 2, "the target buffer" has no antecedent basis.

- In claim 10:

on line 6, "the network protocol" has no antecedent basis.

- In claim 12:

on line 1, "the network protocol" has no antecedent basis.

- In claim 13:

on line 1, "the network protocol" has no antecedent basis.

- In claim 16:

on line 7, "the application" has no antecedent basis.

on line 15, "the data payload" has no antecedent basis.

Claims 11, 14, 15, and 17-20 are rejected since they depend from claims 10 and 16.

Allowable Subject Matter

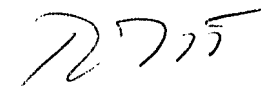
4. Claims 1, 2, and 5-9 are allowed.
5. Claims 11, 14, 15, and 17-20 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action.

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Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ton whose telephone number is (703) 306-5622. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms, can be reached on (703) 305-4703. The fax phone for this group is (703) 305-3988. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



**DANG TON
PRIMARY EXAMINER**

Anthony Ton

July 11, 2000